

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) CRIMINAL NO. 22-342 (RAM)  
[1] WANDA VAZQUEZ GARCED, )  
[2] JULIO M. HERRERA VELUTINI, )  
[3] MARK T. ROSSINI, )  
Defendants. )  
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MOTION FOR MODIFICATIONS OF  
CONDITIONS OF RELEASE

**TO THE HONORABLE COURT:**

Mark T. Rossini, through his undersigned attorneys, moves this Court for modifications of his conditions of release. (Docket Nos. 20 and 23)

On August 3, 2022, an indictment was issued in this case charging Mr. Rossini with certain offenses.

On August 9, 2022, Mr. Rossini appeared in this District to face the charges against him. He was arraigned before United States Magistrate Judge Velez-Rive, entered a plea of not guilty to all charges, and was released by the Court in accordance with an Order Setting Conditions of Release (the “Conditions”). (Docket Nos. 20 and 23) Following his arraignment, Mr. Rossini returned to his residence of record located within the Southern District of New York (“SDNY”). Mr. Rossini has reported to, and is currently under the active supervision of, United States Pretrial Services Officer Andrew Abbott. Mr. Abbott’s office is located in the District Court, Southern District of New York, White Plains, New York.

First, Mr. Rossini’s Conditions of Release state that “Bond is set at \$50,000 secured by

cash or property" and "the defendant is granted ten (10) days to post the secured amount." (Docket Nos. 20 and 23) There is no requirement in the Order Setting Conditions of Release that Mr. Rossini personally return to San Juan and appear at the Clerk's Office in the District of Puerto Rico to hand deliver the \$50,000 security amount. Nonetheless, in an abundance of caution and in order to avoid any doubt about the required procedure, we respectfully request that Mr. Rossini be permitted to deliver the \$50,000 security amount (in the form of cashier's or bank check) to local counsel, Lydia Lizarribar, so that she may personally deposit the security amount with the Clerk's Office in San Juan on behalf of Mr. Rossini. We expect that Ms. Lizarribar will be entering a Notice of Appearance on behalf of Mr. Rossini this week.

Second, the Order Setting Conditions of Release also states that "the defendant must sign an Appearance Bond, if ordered." (Docket No. 23) To the extent the Clerk's Office in the District of Puerto Rico takes the position that Mr. Rossini must sign additional paperwork (including an Appearance Bond that is different or in addition to the Appearance Bond we believe he may already have signed) at the time that the \$50,000 security amount is posted, we respectfully request that Mr. Rossini be permitted to sign and execute any such paperwork, including an Appearance Bond, in New York, in the presence of Mr. Abbott (his Pre-Trial Services officer), rather than being required to return to the District of Puerto Rico so that he can execute such paperwork in the Clerk's Office in San Juan. Indeed, if the Court requires, we request that Mr. Rossini and Mr. Abbott be permitted to arrange a video conference with representatives of the District of Puerto Rico Probation Department or Clerk's Office (as appropriate), so that multiple witnesses can observe Mr. Rossini executing the paperwork.

Third, the Order Setting Conditions of Release contain a restriction on travel that states, in relevant part, "Shall reside at address of record; shall not leave jurisdiction of this

district without first obtaining written permission from the Court.” (Docket No. 23) In order to avoid doubt about Mr. Rossini’s travel restrictions, we respectfully request that the Order Setting Conditions of Release be modified to permit Mr. Rossini travel within the New York City Tri-State Area (which includes the Southern, Eastern, Northern and Western Districts of New York, the District of New Jersey and the District of Connecticut), without first obtaining written permission of the Court. Such a restriction is customary for defendants released on bond in the federal courts in New York, New Jersey and Connecticut, given the close proximity of the various districts to one another.

Fourth, while we are working diligently to retain local counsel and to post the \$50,000 security bond, Mr. Rossini respectfully requests an additional five (5) days to do satisfy the obligation to post the \$50,000 cash security.

We have discussed these matters with the government, and the government has no objection to any of this requested relief.

**WHEREFORE**, Mr. Rossini respectfully requests that the Court: (1) permit Mr. Rossini to remain in New York and to arrange for his local counsel to deliver the \$50,000 cash security amount (in the form of a check) to the Clerk’s Office in the District of Puerto Rico; (2) permit Mr. Rossini to remain in New York while he signs and executes any paperwork associated with his release (including any Appearance Bond that the Clerk’s Office deems necessary or appropriate) and direct that the Clerk’s Office in San Juan accept such paperwork, so long as (a) Mr. Rossini signs the paperwork in the presence of a Pre-Trial Services Officer or Probation Officer in the Southern District of New York and/or in the remote presence, by Zoom or Webex call or otherwise, of a representative of the Pre-Trial Services or Probation Department for the District of Puerto Rico; (3) modify his Conditions of Release to permit Mr.

Rossini to travel within the States of New York, New Jersey and Connecticut without obtaining prior written permission from the Court; and (4) modify his Conditions of Release to grant Mr. Rossini five (5) additional days to secure the \$50,000 bond with cash or property.

**CERTIFICATE OF SERVICE:** I hereby certify that on this date, I emailed the foregoing to counsel for the government and counsel to Wanda Vasquez Garced at the email addresses of record.

WALDEN, MACHT & HARAN, LLP  
250 Vesey Street  
New York, NY  
212-335-2030

/S/ Sean T. Haran

Sean T. Haran  
Derek Cohen

Counsel for Mark T. Rossini